

## AMENDMENTS TO THE CLAIMS

The following claim listing will serve to replace all prior versions of the claims in the subject application.

1. (Currently amended) A method of treating metabolic syndrome or type 2 diabetes or secondary diseases thereof comprising administering a pharmaceutical composition comprising whey permeate to a mammal in need thereof, wherein the permeate contains 84.9% lactose  $\pm$  10%, 4.5% protein  $\pm$  10%, 0.1% fat  $\pm$  10%, 7.5% mineral substances  $\pm$  10%, the remainder being water.
2. (Previously presented) The method according to claim 1, wherein symptoms of the metabolic syndrome or type 2 diabetes are selected from glucose intolerance or insulin resistance.
3. (Previously presented) The method according to claim 1, wherein the secondary diseases are selected from arteriosclerosis, coronary insufficiency, arterial occlusive diseases, myocardial infarction, xanthomas, abdominal discomfort, splenohepatomegaly, pancreatitis, retinal lipemia, stroke, or kidney failure.
4. (Previously presented) The method according to claim 1, wherein the whey permeate is sweet whey permeate.
5. (Previously presented) The method according to claim 1, wherein the whey permeate is reduced in lactose.
6. (Previously presented) The method according to claim 1, wherein the composition is microencapsulated.
7. (Previously presented) The method according to claim 1, wherein the composition is formed as an oral form of administration.

8. (Previously presented) The method according to claim 1, wherein the oral form of administration is a lozenge, a powder, granules, a syrup or a juice.
9. (Previously presented) The method according to claim 1, wherein the composition is a food supplement.
10. (Previously presented) The method according to claim 1, wherein the composition is a dietary foodstuff.
11. (Previously presented) The method according to claim 1, wherein the composition further comprises pharmaceutically acceptable additives and/or carriers.
12. (Previously presented) The method according to claim 1, wherein the mammal is a human.
13. (Previously presented) The method according to claim 1, wherein the whey permeate is hydrolyzed.
14. (Previously presented) The method according to claim 1, wherein the whey permeate is partially hydrolyzed.